

REMARKS

The following is intended as a full and complete response to the Final Office Action dated December 8, 2008, having a shortened statutory period for response set to expire on March 8, 2009. The Examiner rejected claims 1, 7-9, and 11-13 under 35 U.S.C. §103(a) as being unpatentable over Lutterschmidt (U.S. 6,356,947) in view of Borcharding (U.S. 5,303,369). The Examiner rejected claims 4 and 6 under 35 U.S.C. §103(a) as being unpatentable over Lutterschmidt and Borcharding in further view of Pitot (U.S. 5,357,208). These rejections are respectfully traversed.

In this response, claims 7 and 11 are amended to correct various informalities. Applicant submits that the amendments to the claims do not change the scope of the claims and that the claims do raise any new issues. For these reasons, Applicant respectfully requests entry of the amendments.

With respect to the rejections under §103(a), claim 11, as previously presented, recites the limitations of a script containing a map of execution sequences including an execution sequence of tasks for each of a plurality of other processors. Each of the cited references fails to teach or suggest these limitations.

The Examiner admits, at pages 3-4 of the Final Office Action, that the Lutterschmidt reference fails to teach or suggest these limitations. Instead, the Examiner relies on the Borcharding reference as disclosing these specific limitations. More specifically, the Examiner points to column 3 of Borcharding, which discloses that a “script is downloaded to signal processor 12 in a pseudo code form, and is interpreted by a script interpreter 32, shown in FIG. 3. The result is a set of byte codes that specify tasks that host processor 12 requires signal processor 16 to perform. The allocation of a task to a specific signal processor 16 capable of handling that task may be accomplished either by host processor 12 or script interpreter 32” (see Borcharding at column 3, lines 40-47) (emphasis added). As clearly taught, the “script” disclosed in Borcharding includes information related to how many resources should be allocated to a single signal processor to complete processing of a single task. Accordingly, in the system of Borcharding, a separate script is generated and parsed for each task to be processed. Thus, Borcharding fails to teach or suggest that the script includes an execution sequence of tasks for each of the plurality of other processors, as expressly

recited in claim 11.

Additionally, the system disclosed in Borcharding creates the exact problems that embodiments of the present invention are intended to solve. As described in paragraph [0010] of the present application, parsing a script that includes an execution sequence of tasks for each of the plurality of other processors, as claimed, provides the non-obvious advantage of the first processor knowing ahead of time which tasks can be performed by each of the other processors without having to wait for another processor to complete processing a particular task. The claimed approach results in a more efficient processing technique relative to prior art approaches. By contrast, as described in column 6, lines 10-20, of Borcharding, “[t]he next step for handling Task A is determined by its processing characteristics and the availability of system resources ... [t]hus, depending on what processor 16, if any, is available and meets the requirements of Task A, the task is directed to it ... [t]hus, queue manager 42 reads Task A's claimed processing characteristics and determines what resources, if any, are available ... [d]epending on availability of resources that meet the requirements of Task A, scheduler 42 assigns Task A to a processor 16 for execution or delays execution.” According to the teachings of Borcharding, each time that a new task is parsed by the script interpreter 32, the script interpreted must search for available resources to allocate to the task and for a signal processor 16 that is available to process the task. If no resources are available, or if no signal processor 16 is available, then processing the task is delayed. Such delay is avoided in the claimed approach by providing a script before beginning execution of the application that includes a map of execution sequences including an execution sequence of tasks for each of the plurality of other processors, as recited in claim 11. Thus, Borcharding teaches away from the claimed approach and, therefore, cannot be used to reject any of the pending claims under §103(a).

As the foregoing illustrates, Borcharding fails to teach or suggest each and every limitation of claim 11 and actually teaches away from the claimed approach. Lutterschmidt and Pitot both fail to cure the deficiencies of Borcharding. Therefore, no combination of these references can render claim 11 obvious. For these reasons, Applicant respectfully submits that claim 11 is allowable over the cited references and

requests allowance of the claim. Additionally, claims 7 and 9 recite limitations similar to those of claim 11 and are allowable for at least the same reasons as claim 11. The remaining claims depend from allowable claims 7, 9, and 11 and are therefore also allowable.

CONCLUSION

Based on the foregoing, Applicants believe that they have overcome all of the objections and rejections set forth in the Final Office Action mailed on December 8, 2008, having a shortened statutory period for response set to expire on March 8, 2009, and that the pending claims are in condition for allowance. If the Examiner has any questions, please contact the Applicant's undersigned representative at the number provided below.

Respectfully submitted,



John C. Carey
Registration No. 51,530
PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd. Suite 1500
Houston, TX 77056
Telephone: (713) 623-4844
Facsimile: (713) 623-4846
Attorney for Applicant